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FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. APPLICATION NO.

09/338,063

06/23/99

GOTO

Μ,

EXAMINER

FJN-060DV2(3

HM12/1120

021323 TESTA, HURWITZ & THIBEAULT, LLP HIGH STREET TOWER 125 HIGH STREET BOSTON MA 02110

EWOLDT, G

PAPER NUMBER

1644

DATE MAILED:

ART UNIT

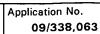
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



Advisory Action



Applicant(s)

Goto et al.

Examiner

Gerald Ewoldt

Group Art Unit 1644



тн	E PERI	OD FOR RESPONSE: [check only a) or b)]
	a) 🗌	expires months from the mailing date of the final rejection.
	b) 🔀	expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.
	date on	tension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of ining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be ted from the date of the originally set shortened statutory period for response or as set forth in b) above.
	Appell period	ant's Brief is due two months from the date of the Notice of Appeal filed on (or within any for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).
		's response to the final rejection, filed on <u>Nov 9, 2000</u> has been considered with the following effect, T deemed to place the application in condition for allowance:
	The pr	oposed amendment(s):
	□ wi	ill be entered upon filing of a Notice of Appeal and an Appeal Brief.
	□ wi	ill not be entered because:
		they raise new issues that would require further consideration and/or search. (See note below).
		they raise the issue of new matter. (See note below).
		they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
		they present additional claims without cancelling a corresponding number of finally rejected claims.
	NO	TE:
	□ A ₁	oplicant's response has overcome the following rejection(s):
	Newl separ	y proposed or amended claims would be allowable if submitted in a ate, timely filed amendment cancelling the non-allowable claims.
X	for all	ffidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition lowance because: pace below
		iffidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by xaminer in the final rejection.
X	For p	urposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):
		s allowed:
		s objected to:
		s rejected: 32-35
☐ The proposed drawing correction filed on has ☐ has not been approved by the Examiner.		
	Note	the attached Information Disclosure Statement(s), PTO-1449, Paper No(s).
	Other	Applicant has supplied certified translations of priority documents JP54977 and JP207508. However, the documents disclose only the OCIF protein; neither offers support for an antibody to the protein as recited in the instant claims. Therefore, ther previous art rejections stand.